

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE )  
LITIGATION ) MDL No. 1456  
)  
) Civil Action No. 01-12257-PBS  
)  
THIS DOCUMENT RELATES TO: ) Judge Patti B. Saris  
)  
ALL CLASS ACTIONS )  
)  
)

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**DECLARATION OF ADAM WRIGHT TRANSMITTING DOCUMENTS  
REFERENCED IN TRACK ONE DEFENDANTS' MEMORANDUM IN SUPPORT OF  
EMERGENCY MOTION TO DECLARE THE *TOUHY* REGULATION INAPPLICABLE  
AND FOR LEAVE TO TAKE TRIAL DEPOSITIONS OF  
CERTAIN FORMER GOVERNMENT EMPLOYEES**

I, ADAM WRIGHT, hereby declare:

1. I am a member of the bar of the Commonwealth of Massachusetts and of this Court. I am an associate with Ropes & Gray LLP, and counsel to Defendants Schering-Plough Corporation and Warrick Pharmaceuticals Corporation. I submit this Declaration to place before the Court documents referenced in Track One Defendants' Memorandum in Support of their Emergency Motion to Declare the *Touhy* Regulation Inapplicable and for Leave to Take Trial Depositions of Certain Former Government Employees.

2. Attached hereto as Exhibit A is a true and correct copy of a transcript of the hearing held before the Court on August 3, 2006.

3. Attached hereto as Exhibit B is a true and correct copy of a letter from John T. Montgomery to Gejaa T. Gobena and George B. Henderson, II, dated August 31, 2006.

4. Attached hereto as Exhibit C is a true and correct copy of a letter from George B. Henderson, II to John T. Montgomery, dated September 12, 2006.

5. Attached hereto as Exhibit D is a true and correct copy of a letter from John T. Montgomery to Mark B. McClellan and Daniel Meron, dated September 26, 2006, as well as related attachments.

6. Attached hereto as Exhibit E is a true and correct copy of a letter from John T. Montgomery to Gejaa T. Gobena and George B. Henderson, II, dated September 26, 2006.

7. Attached hereto as Exhibit F is a true and correct copy of a letter from Leslie V. Norwalk to John T. Montgomery, dated October 18, 2006.

I declare under penalty of perjury that the foregoing is true.

/s/ Adam Wright  
Adam Wright

EXECUTED this 20th day of October in Boston, Massachusetts.

**CERTIFICATE OF SERVICE**

I hereby certify that on October 20, 2006, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Adam Wright  
Adam Wright